

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 24-cr-20238-BECERRA

UNITED STATES OF AMERICA

vs.

MARELYS RUIZ ULLOA,

Defendant.

COURT EXHIBIT

24-20238-CR-
CASE
NO. BECERRA

EXHIBIT
NO. B

FACTUAL PROFFER

The United States of America, Marelys Ruiz Ulloa ("Ulloa"), and her undersigned counsel agree that, had this case proceeded to trial, the United States would have proven the following facts, among others, beyond a reasonable doubt:

The Underlying Health Care Fraud Scheme

Between early 2020 and mid-2021, co-conspirators created, arranged, and operated at least 14 Florida-based durable medical equipment ("DME") companies as part of a "bust out" DME fraud scheme. Such a scheme involves the purchase of a pre-existing health care business through which participants use the insurance information for beneficiaries and the National Provider Identifier ("NPI") for one or more physicians without their knowledge or consent to bill for services that were not medically necessary and/or never provided. The organizers then execute the fraud rapidly in order maximize billing before the fraud is detected and Medicare, Medicaid, or another health insurer shuts the billing down. Among the DME companies involved in this fraud scheme were Cleveland Medical Supply Inc, Community Medical Supply Inc, Del Prado Medical Supply Inc, Eddie's Med Supply LLC, Express Rx Pharmacy Inc, Gables Medical Supply, Inc, Gold Medical Supply Inc, Medica Merica Supplies Corp, New Way Med Supply LLC, One Sky

Medical LLC, One Way Medical, LLC, Pegasus Medical Supply LLC, Premiere Medical Supply Inc, and TAP Medical Supplies, Inc (the “DME Companies”).

Law enforcement interviewed dozens of beneficiaries and physicians who had purportedly received or prescribed DME on behalf of the DME Companies. Every beneficiary interviewed told law enforcement that they had never heard of the DME Company that billed for services using their insurance information to bill federal health care benefit programs and had never received or needed the DME that the DME Company claimed on its bills. Similarly, every physician interviewed told law enforcement that they had never heard of the DME Company or the patients they had supposedly treated there and had not provided the treatments billed by the DME Company. Bank Records for the DME Companies showed that they did not have any significant business activity other than receiving Medicare and Medicaid funds and then distributing those funds to other companies. According to the IRS, the DME Companies did not file any federal income or employment tax forms for 2019, 2020, or 2021.

All told, as a result of the DME Companies’ fraudulent bills, Medicare and Medicaid paid the DME companies approximately \$17,600,000 as reimbursement for those claims.

The Scheme to Launder the DME Companies’ Fraudulent Health Care Proceeds

The individuals behind these DME Companies participated in one scheme to launder the proceeds of their bust out DME fraud. From between approximately April 2020 through approximately December 2021, the DME Companies transferred approximately \$3,906,649 of their fraud proceeds to one of nine shell companies located in the Southern District of Florida: 1 Stop Supplies Corp, Business Wholesale Corp., Champion Welding Performance Corp., DMS Wholesale LLC, JCC General Services Corp., J&J Distributor Supply Corp, MDL Wholesale

Corp. (“MDL Wholesale”), Oranky Food Service Corp., and Ramos Izquierdo Construction Corp (the “Shell Companies”). Each of the Shell Companies operated in the same manner according to bank records. They had little to no business activity except for receiving Medicare and Medicaid funds from the DME Companies and then quickly transferring most of those funds to a series of approximately 35 check cashers via check. The Shell Company owners also withdrew some of the fraud proceeds by writing checks to themselves and by making cash withdrawals at ATMs and from bank tellers. The checks written to the check cashers were all made in approximately \$4,000 to \$9,000 increments to avoid bank reporting requirements. The Shell Companies wrote checks totaling approximately \$2,513,381 to the six check cashers charged in this case alone: Maria De Los Angeles Abreu Perez (“Abreu”), Nelson Enrique Gonzalez Diaz (“Gonzalez”), Jonathan Jose Martinez Lambrano (“Martinez”), Ana Maria Gomez Contreras (“Gomez”), Levy Alberto Colina Garcia (“Colina”), and Gloria Guillibeth Diaz Salas (“Diaz”). According to the IRS, the Shell Companies did not file any federal income or employment tax forms for 2019, 2020, or 2021.

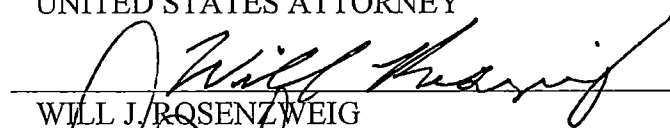

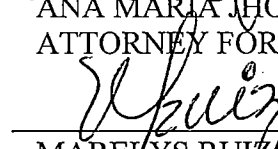
Ulloa’s Role in the Money Laundering Conspiracy

Ulloa’s role in this scheme involved laundering health care fraud proceeds, not in organizing or creating the DME companies. Ulloa was the president, sole officer, and registered agent of MDL Wholesale, a company she incorporated in February 2021 and dissolved in October 2021. Ulloa was the sole signatory on the two MDL Wholesale bank accounts held at Bank 2 and Bank 3 that received Medicare money (the “MDL Wholesale Accounts”). The MDL Wholesale Accounts received 23 checks and wires from eight of the DME Companies and two other Shell Companies totaling \$1,264,851.21, which constituted more than 98% of those two accounts’ deposits. At the direction of others, Ulloa then distributed those proceeds to herself via cash

withdrawals and checks and to a series of approximately 21 check cashers, including Abreu, Gonzalez, Martinez, Gomez, Colina, and Diaz. Ulloa made these transactions knowing that they involved the proceeds of unlawful activity. Ulloa also knew that her use of MDL Wholesale to receive funds from the DME Companies, transfer them to individuals by check, and have those individuals cash those checks was a scheme designed to conceal the nature, source, and ownership of those unlawfully obtained proceeds.

Ulloa also assisted in laundering health care fraud proceeds from three of the DME Companies by cashing 14 checks for those companies totaling \$93,605. Thus, the total fraud proceeds Ulloa laundered was \$1,358,456.21. As a result of Ulloa's knowing and willful participation in the scheme to launder health care fraud funds through MDL Wholesale and the DME companies, she received \$173,800 in checks written to herself and through cash withdrawals from the MDL Wholesale Accounts.

The facts described above are not intended to be a complete recitation of the facts of this case and are merely intended to form a basis for the undersigned defendant's knowing, willful, and intentional plea of guilty.

Date: <u>10/16/24</u>	By: <u></u> WILL J. ROSENZWEIG ASSISTANT UNITED STATES ATTORNEY
Date: <u>10/16/24</u>	By: <u></u> ANA MARIA JHONES, ESQ. ATTORNEY FOR DEFENDANT
Date: <u>10/16/24</u>	By: <u></u> MARELYS RUIZ ULLOA DEFENDANT